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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Nobuaki HASHIMOTO

Group Art Unit: 2823

Application No.: 09/615,503

Examiner: D. M. Collins

Filed: July 13, 2000

Docket No.: 101929.02

For: SEMICONDUCTOR DEVICE, METHOD OF FABRICATING THE SAME, CIRCUIT BOARD, AND ELECTRONIC APPARATUS

REQUEST FOR RECONSIDERATION

Director of the U.S. Patent and Trademark Office
Washington, D.C. 20231

Sir:

In reply to the Office Action dated August 1, 2001, reconsideration of the above-identified application is respectfully requested.

The Office Action Summary sheet incorrectly indicates that the priority documents have not been submitted. The priority documents were filed in the parent application (U.S. Patent No. 6,057,174) on January 28, 1999. Applicant respectfully requests that a corrected Summary Sheet be included with the next Office Action.

The Office Action maintains the Restriction Requirement. Thus, claims 18-20 are withdrawn. Applicant respectfully submits that claims 18-20 should be rejoined and allowed when claim 1 is allowed because they depend from claim 1.

The Office Action rejects claims 1-17 under the judicially created doctrine of obviousness-type double patenting over claims 1-43 of Hashimoto (U.S. Patent No. 6,066,512). This rejection is respectfully traversed.

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The Office Action applies an incorrect standard in making the obviousness-type double patenting rejection. In particular, the Office Action improperly relies upon the disclosure of Hashimoto. The disclosure of Hashimoto is not available as a reference against this application under any section of 35 U.S.C. §102. (For example, it is not available under §102(e) because the inventorship is the same.) In order for an obviousness-type double patenting rejection to be proper, the application claims must be obvious in view of the claims of the patent. Although an Examiner can rely upon other references to establish the alleged obviousness, the Examiner has not done so. (As noted above, the disclosure of Hashimoto is not a reference against this application.)

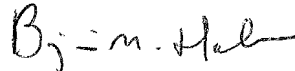
Claim 1 of this application (the only independent claim) is not disclosed or suggested by claims 1-43 of Hashimoto. In particular, none of those claims suggests a method of fabricating a semiconductor device including, inter alia, a step of attaching a plurality of semiconductor chips to a tape, and a step of cutting the tape, wherein these steps are carried out in a reel-to-reel transport system, as recited in claim 1.

For at least these reasons, it is respectfully submitted that claim 1 is patentable over Hashimoto. The dependent claims are likewise patentable over Hashimoto for at least the reasons discussed as well as for the additional features they recite. Applicant respectfully requests that the obviousness-type double patenting rejection be withdrawn.

In view of the foregoing, Applicant respectfully submits that this application is in condition for allowance. Favorable consideration and prompt allowance are earnestly solicited.

Should the Examiner believe anything further is desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact Applicant's undersigned representative at the telephone number listed below.

Respectfully submitted,



James A. Oliff
Registration No. 27,075

Benjamin M. Halpern
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JAO:BMH/gpn

Attachment:
Information Disclosure Statement

Date: October 31, 2001

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